Remarks

In the Examiner's 10/6/03 Office Action, it was indicated that Claims 4 - 8 and 22 were allowed. The Examiner then noted that, since the invention of Group I, Species B (Claims 4 - 8 and 22) was considered to be allowable, the invention of Group I, Species A (Claims 1 - 3) would also be examined. Claims 9 - 21 were withdrawn from consideration as involving a non-elected invention. Claims 1 and 3 were rejected under 35 U.S.C. 102(e). Claim 2 was indicated to be allowable if rewritten in independent form. In the current Response, Claim 2 has been cancelled without prejudice and Claim 1 has been amended to include the elements of Claim 2 therein. Claim 3 remains unchanged and depends on allowable Claim 1. Based on these amendments, the current application is now in condition for allowance.

I. Claim Rejections Under 35 U.S.C. 102(e)

In the Examiner's Office Action of 10/6/03, Claims 1 and 3 were rejected under 35 U.S.C. 102(e) based on U.S. Application No. 2003/0153666 (Farooq). However, the Examiner also stated that Claim 2 was allowable if rewritten in independent form. In the current Response, this step has been taken, namely, Claim 2 has been cancelled, with the subject matter thereof being inserted into independent Claim 1. Since amended Claim 1 now involves Claim 2 rewritten in independent form, Claim 1 is in condition for allowance. Likewise, because Claim 3 now depends on an allowable claim (amended Claim 1), Claim 3 is likewise allowable.

In accordance with this course of action and because no other claims are actively pending in the present case, the current application is in compliance with all applicable

guidelines with all of the remaining claims being in condition for allowance. For the record, the amendments listed above should not be construed as an admission of any kind regarding patentability issues, with the foregoing amendments being done entirely to expedite the prosecution of this case. Applicants reserve the right to pursue Claim 1 in its original form in one or more continuing applications.

Finally, in Applicants' prior Response of 7/9/03, one of the cited references (U.S. Application No. 2002/0187311 to Golub et al.) was addressed. This reference was only cited against dependent Claim 7. In Applicants' prior Response, it was argued that Golub et al. was not prior art since its U.S. filing date of 4/12/02 was later than the 8/30/01 filing date of the current application. For the record, Applicants desire to make it known that, after further researching this matter, it has been discovered that Golub et al. actually has an effective filing date of 4/12/01 (based on an earlier provisional case). For some reason that is not understood by Applicants, this priority information is missing from the "text" version of Golub et al. obtained from the USPTO web site on which Applicants relied. Applicants only discovered it after the present Office Action of 10/6/03 was received when a status check on Golub et al. was conducted. Accordingly, Applicants hereby withdraw their prior comments involving the non-prior art status of Golub et al. However, this situation does not affect the allowability of the pending claims since Golub et al. was only used to reject a single dependent claim (Claim 7) and was not applied to any of the independent claims. Likewise, the substantive arguments presented by Applicants involving non-obviousness relative to Golub et al. remain in effect. In this regard, all of the claims continue to be allowable, with the information in this paragraph being presented to make the record clear involving Golub et al.

Conclusions

All of the currently-pending claims are now allowable. Should the Examiner have any questions involving this Response, he is invited to contact the undersigned at any time.

Respectfully submitted,

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